

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Civil No.07-12266

Honorable Marianne O. Battani

Magistrate Judge R. Steven Whalen

ONE HUNDRED NINETY EIGHT THOUSAND
DOLLARS IN UNITED STATES CURRENCY (\$198,000.00);
TWO THOUSAND AND TWENTY DOLLARS IN UNITED
STATES CURRENCY, (\$2,020.00); AND FORTY ONE
THOUSAND FIVE HUNDRED FORTY THREE DOLLARS
IN UNITED STATES CURRENCY (\$41,543.00),

Defendants.

STIPULATED CONSENT JUDGMENT AND
FINAL ORDER OF FORFEITURE

WHEREAS, on or about May 24, 2007, Plaintiff UNITED STATES OF AMERICA filed
a Complaint for Forfeiture against the above properties pursuant to 21 U.S.C. §881(a)(6);

WHEREAS, on or about July 5, 2007, Sami Ali Hassoun filed a claim for the defendant
\$198,000.00 and for the defendant \$2,020.00 only, for a total of \$200,020.00 in United States
Currency, which was seized from Sami Ali Hassoun on January 5, 2007, by officers of the
Dearborn Police Department in Dearborn, Michigan.

WHEREAS, no other claims have been filed against the defendant \$198,000.00 and the
\$2,020.00 currencies in this civil matter.

WHEREAS the plaintiff, the UNITED STATES OF AMERICA, and the claimant, Sami Ali Hassoun, wish to resolve this civil matter without further litigation and expense;

NOW THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff, UNITED STATES OF AMERICA, through its counsel, TERRENCE BERG, acting United States Attorney, and JULIE A. BECK, Assistant United States Attorney, and Claimant SAMI ALI HASSOUN, by and through his attorney BENNETT M. EPSTEIN, agree as follows:

- 1) This action is a civil in rem forfeiture action brought pursuant to 21 U.S.C. § 881(a)(6).
- 2) This Court has jurisdiction and venue over this action pursuant to 28 U.S.C. §§ 1345, 1355 and 1395.
- 3) The allegations of the Complaint for Forfeiture are well taken, and the United States and its agents had reasonable cause for seeking forfeiture of the above-enumerated properties as provided in 28 U.S.C. § 2465. The Government's position in this action is substantially justified as provided in 28 U.S.C. § 2412(d)(1)(B).
- 4) The parties herein wish to resolve this matter without incurring further litigation expenses.
- 5) The parties agree that One Hundred Seventy Thousand Seventeen Dollars (\$170,017.00) of the \$200,020.00 of defendant currency claimed by Sami Ali Hassoun shall **NOT** be forfeited, but shall be **RETURNED** to claimant Sami Ali Hassoun, including any interest that may have accrued on that amount since the seizure date.

6) The parties further agree that the remaining Thirty Thousand and Three Dollars (\$30,003.00) of the defendant currency shall be **FORFEITED** to the United States of America pursuant to 21 U.S.C. § 881(a)(6).

7) Any right, title or interest of the Claimant and his heirs, successors and assigns, and any right, title and ownership interest of all other persons in the above-referenced Thirty Thousand and Three Dollars (\$30,003.00) is hereby and forever **EXTINGUISHED**, and clear title to said currency shall hereby be **VESTED** in the United States of America, and the United States Marshals Service or its designate, is **AUTHORIZED** to dispose of such currency according to law and as described in paragraph 5.

8) Furthermore, Claimant, hereby knowingly and voluntarily waives any and all right to reimbursement by the United States of reasonable attorney fees and litigation costs in connection with this civil forfeiture action under 28 U.S.C. § 2465(b)(1)(A) or any other statute that might conceivably apply.

9) Claimant Sami Ali Hassoun, agrees to release, remise and discharge Plaintiff, the United States of America, and any of its agencies involved in this matter, including the Drug Enforcement Administration, Department of Justice, the United States Marshals Service, its agents, officers and employees, past and present, from all claims or causes of action which Claimant and his agents, officers, employees, assignees and/or successors in interest have, may have had or may have on account of the events or circumstances giving rise to the above-captioned action.

10) Following entry of this Stipulated Consent Judgment and Final Order of Forfeiture, the United States Marshals Service, shall disburse a check made payable to Bennett M. Epstein, Esq. and Sami Ali Hassoun in the amount of One Hundred Seventy Thousand Seventeen Dollars \$170,017.00 in United States Currency, plus any interest accrued from the date of seizure, and such payment shall be mailed to Bennett M. Epstein, Esq. at 100 Lafayette Street, New York, New York 10013.

11) Upon the making of the payment specified in paragraph 10 above, this case shall be dismissed **WITH PREJUDICE** and closed.

12) Claimant hereby withdraws any claim of ownership to the Thirty Thousand and Three Dollars (\$30,003.00) to be forfeited.

13) Each of the parties to this Stipulation have discussed this settlement with their respective counsel, and fully understand its terms and conditions and the consequences of entering into it. The parties agree that each shall bear their own costs in this matter.

TERRENCE BERG
ACTING UNITED STATES ATTORNEY

s/ Julie A. Beck
Assistant United States Attorney
211 West Fort Street, Suite 2001
Detroit, Michigan 48226
(313) 226-9717
Email: julie.beck@usdoj.gov
(P-53291)
Dated:

s/ with consent Bennett M. Epstein
Attorney for Claimant
100 Lafayette Street
New York, New York 10013
(212) 684-1230

Dated:

s/ with consent Matthew J. Lund (P48632)
Pepper Hamilton LLP
100 Renaissance Center, 36th floor
Detroit, Michigan 48243
(313) 259-7110
lundm@pepperlaw.com

Local counsel for Claimant, Sami
Ali Hassoun

Sami Ali Hassoun
Claimant

Dated:

IT SO ORDERED.

s/Marianne O. Battani
HONORABLE MARIANNE O. BATTANI
United States District Judge

Dated: January 16, 2009

(Stipulated Consent Judgment and Final Order of Forfeiture; Civil No.07-12266)

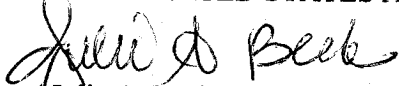
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TERRENCE BERG
ACTING UNITED STATES ATTORNEY



s/Julie A. Beck
Assistant United States Attorney
211 West Fort Street, Suite 2001
Detroit, Michigan 48226
(313) 226-9717
Email: julie.beck@usdoj.gov
(P-53291)
Dated: 1/14/09




s/ with consent Bennett M. Epstein
Attorney for Claimant
100 Lafayette Street
New York, New York 10013
(212) 684-1230

Dated: 1/13/09

s/ with consent Matthew J. Lund (P48632)

Pepper Hamilton LLP
100 Renaissance Center, 36th floor
Detroit, Michigan 48243
(313) 259-7110
lundm@pepperlaw.com

Local counsel for Claimant, Sami
Ali Hassoun


Sami Ali Hassoun
Claimant

Dated: 1/13/09

IT SO ORDERED.

HONORABLE MARIANNE O. BATTANI
United States District Judge

Dated:

(Stipulated Consent Judgment and Final Order of Forfeiture; Civil No.07-12266)

